



MERLIN

LAW GROUP, PLLC

December 26, 2024

VIA ECF

Hon. Colleen McMahon, U.S.D.J.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

12/30/2024
Conference adjourned to
1/9/2025 at 11:00 AM

A handwritten signature in black ink that reads "Colleen McMahon".

Re: Nautilus Insurance Company v. Roadrunner Restoration Company, LLC et al.
No.: 1:24 CV 07234 (CM)(VF)

Dear Judge McMahon:

This firm represents Defendant Key Allegro Condominiums Counsel of Co-Owners, Inc ("Allegro") in the above-referenced action. We write jointly with Plaintiff Nautilus Insurance Company ("Nautilus"). On September 27, 2024, this Court issued an Order scheduling an initial pretrial conference for November 21, 2024. (Docket #10). On October 21, 2024, the initial pretrial conference was rescheduled for January 2, 2025. (Docket #20).

Subsequent to the scheduling of the pretrial conference, Allegro filed its Motion to Dismiss and/or stay Plaintiff's Complaint due to lack of Jurisdiction on December 6, 2024. On December 20, 2024, Plaintiff Nautilus filed its Opposition to Allegro's motion to dismiss. Although Nautilus opposed Allegro's motion to dismiss, Nautilus' brief reflects a position that a stay of this matter is appropriate at this juncture. Allegro's reply is due on January 2, 2025.

The parties recently had a meet and confer pertaining to the upcoming conference and found it difficult to prepare a case management order considering both parties' position that the matter should be stayed at this time, albeit on different bases with Allegro maintaining that it should also be dismissed.

Based on the parties' positions and Allegro's pending Motion to Dismiss and/or Stay, it is jointly requested that the initial pretrial conference currently scheduled for January 2, 2025 is adjourned until there is an Order on Allegro's motion. The Motion to Dismiss and/or Stay will likely not be fully briefed by the time of the currently scheduled conference, as the reply is due the same day. Alternatively, if the Court wishes to proceed with initial pretrial conference on January 2, 2025, it is jointly requested that the conference is converted to a telephonic/zoom conference considering multiple attendees would be appearing from out-of-state.

Sincerely,
/s/ Daniel W. Ballard
Daniel W. Ballard, Esq.

CC: All counsel (via ECF)